

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PITTSFIELD GENERATING COMPANY, L.P.,

Plaintiff,

V.

DEVON CANADA CORPORATION,

Defendant.

Civil Action No:
04-30128-MAP

**DEFENDANT DEVON CANADA CORPORATION'S MOTION FOR LEAVE
TO FILE A REPLY MEMORANDUM IN SUPPORT OF ITS MOTION
TO HOLD IN ABEYANCE ITS OBLIGATION TO RESPOND TO THE COMPLAINT
OR IN THE ALTERNATIVE FOR AN EXTENSION OF TIME**

Devon Canada Corporation (“Devon”) hereby moves for leave to file the accompanying reply memorandum (attached hereto as Tab A) in support of its Motion To Hold In Abeyance Its Obligation to Respond to the Complaint or In the Alternative For An Extension Of Time. As grounds for the present motion, Devon states that Plaintiff Pittsfield Generating Company, L.P.’s (“PGC’s”) Memorandum in Opposition to the foregoing motion raises new issues, and the accompanying reply memorandum will materially assist the Court in its consideration of Devon’s pending motion.

WHEREFORE, Devon respectfully requests that the Court grant it leave to file the accompanying reply memorandum in support of its pending motion.

Dated: Boston, Massachusetts
August 15, 2004

Respectfully submitted,



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Of Counsel
Devon Canada Corporation

CERTIFICATION UNDER LOCAL RULE 7.1

I certify that on Friday August 13, 2004, pursuant to Local Rule 7.1, counsel for the parties have conferred in good faith regarding this Motion and the counsel for plaintiff has not assented to this Motion.




Anita B. Bapooji

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant Devon Canada Corporation's Motion for Leave to File A Reply Memorandum In Support of Its Motion To Hold In Abeyance Its Obligation To Respond To The Complaint Or In The Alternative For An Extension Of Time was served on the 15th day of August, 2004, via facsimile and first class mail, postage prepaid, on the following:

Robert J. Muldoon
David A. Brown
Sherin and Lodgen LLP
101 Federal Street
Boston, MA 02110



Anita B. Bapooji